

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CENTRAL CALIFORNIA

Case No.: 2:21-bk-18205

In re : CRESTLLOYD, LLC, debtor

**NOTICE OF WITHDRAWAL AND NOTICE AND EX PARTE MOTION FOR
DISTRUBTION OF FUND**

This serves as actual and constructive notice to all persons and to the above Debtor in this matter of withdrawal and notice of ex parte motion for distribution of depositor's fund by Edward Roark Schwagerl, Depositor, "Movant-Depositor" moves this honorable court ex parte for the final distribution of his fund deposited with teller in care of the Court, U.S. Bankruptcy Court, Suite 1634, 255 E. Temple Street, Los Angeles, California, hereinafter "Teller" in reference to purchasing real property "THE ONE" and reimbursement to Richard Saghian, as co-surety, noted for such purposes, the tender of which is denied by the court, see Doc 521, Teller and United States Treasury's Non-reservable Note Account or remitted to the Federal Reserve for credit to the Treasury's balance at the Fed, hereinafter the "Depositee."

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward Roark Schwagerl".

Edward Roark Schwagerl, Trustee for the Edward Roark Schwagerl Living Estate Trust.

Edward Roark Schwagerl, Interested Party (62cv173317).

Authorized Representative for Edward R. Schwagerl, Attorney In Fact.

In Care of: United States Post Box 120353, Saint Paul, Minnesota, zip exempt.

Tel. +1 (612) 986-6478; Email: vaultservices1.4u110@protonmail.com

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF CENTRAL CALIFORNIA

Case No.: 2:21-bk-18205

In re : CRESTLLOYD, LLC, debtor

EX PARTE MOTION FOR DISTRUBTION OF FUND

WITHOUT WAIVING any right, remedy, or defense, whereas I, Edward Roark Schwagerl, Movant-Depositor, at all times clothed in prerogative powers, am competent to handle my own affairs, with intent and purpose as Grantor/Settlor of a trust filed, now coming as the Trustee to the Edward Roark Schwagerl Living Estate Trust, in the above named bankruptcy action, in good faith at will respectfully moves this court of equity for distribution of the fund deposited by Edward Roark Schwagerl, Depositor, with the court as Depositor's Teller and the United States Treasury, Depositee, from its deposit account Non-reservable Note Account.

Movant-Depositor respectfully shows the Court :

1. That on or about March 27, 2023, 12:36 pm, tracking number RE637836190US, Depositor delivered to the Court, Teller, a non-reservable deposit, sum certain amount of seventy-two billion (US\$72,000,000.00) united states dollars.
2. That on or about April 5, 2023, 12:53 pm, tracking number EJ926144823US, Depositor delivered to the Court, Teller, a non-reservable deposit, sum certain amount of seventy-two billion (US\$72,000,000,000.00) united states dollars ("July 18 ORDER" Doc. 501, page 2, Line 7).

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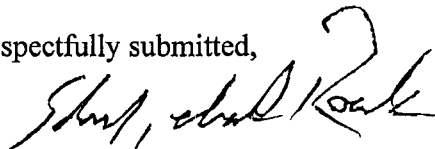
3. That on or about August 10, 2023, 1:48 pm, tracking number EI231410567US, Depositor delivered to the Court, Teller, as fiduciary appointee, "Deposit Slip 1" for the above deposits, for specific performance, notice of withdrawal of the above sum certain amount of one hundred forty-four billion (US\$144,000,000,000.00) united states dollars, hereinafter the "Fund," (Doc. 519).
4. That said Deposit Slip 1 is referenced by the Court at Doc 501, page 2, line 7, and Doc 510, page 2, lines 20-22.
5. That in connection with said withdrawal, a copy of which is dispatched to Washington DC C5000 program administrators noticing Washington DC of the above said notice of withdrawal (Doc. 519), the Department of Justice declined to make neither a legal or equitable claim or defense in said withdrawal of said fund, see Exhibit B true and correct copy of USPS Form 3811, front and back: "Not DOJ Mail".
6. That Movant-Depositor filed and served on Teller, defendant fiduciary appointee, a verified Bill in Equity to enforce a trust and for specific performance on the 14th day of November 2023. See Doc. 541.
7. That Movant-Depositor served and filed notice and application for decree pro confesso, entered on the 8th day of December 2023, and thereupon the suit "shall be proceeded in ex parte". Fed. R. Eq. 16. (See Doc. 548 , 549).
8. That the defendant(s) have not moved to enlarge the time to answer, nor have they moved to set aside the order pro confesso.
9. That Movant-Depositor motioned the Court ex parte on January 10th, 2024 for process of attachment to issue against the defendants to answer, and for process of attachment against the property set forth in the bill. (Docs. 554 , 555).

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Wherefore the foregoing facts regarding the Depositor's Deposit Slip, Fund, Bill in Equity, Pro Confesso, and Attachment, regarded as done;

Your Movant-Depositor therefore respectfully shows the court that Movant-Depositor has the superior legal estate in the said Fund, see above 1-4, and also the equitable estate perfected by operation of items above 5-9, the Movant-Depositor has perfected both legal and equitable estate in said Fund, a merger where the legal consumes the equitable leaving Movant-Depositor seized of the Fund under the custodial bailee control of Depositee: the Movant-Depositor is lawfully entitled to the distribution of said Fund and accordingly Movant-Depositor moves this honorable court for an order for distribution of Fund, and that the court directs the Depositee and Teller-Defendant to hand over the Fund in the Court's charge, and to make a full distribution and delivery thereof to Edward Roark Schwagerl.

Respectfully submitted,



Edward Roark Schwagerl, Trustee for Edward Roark Schwagerl Living Estate Trust, Movant-Depositor.

Edward Roark Schwagerl, Interested Party (62cv173317).

Authorized Representative for Edward R. Schwagerl, Attorney In Fact.

d/b/a Edward Roark Schwagerl, Minn. Stat. 333. File No. 855878600029.

In Care of: # United States Post Box 120353, Saint Paul, Minnesota, [zip exempt].

Tel. +1 (612) 986-6478; Email: vaultservices1.4u110@protonmail.com

Exhibit A – USPS 3811



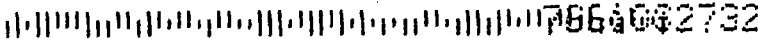
Room 100 filing clerk

Judge's Chambers

Second Original for return pre-paid postage envelope.

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Exhibit A-1

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|---|--|---|--|
| USPS TRACKING # | |  | <div>First-Class Mail Postage & Fees Paid USPS Permit No. G-10</div> |
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| 9590 9402 8092 2349 9512 22 | | | |
| United States Postal Service | | • Sender: Please print your name, address, and ZIP+4® in this box• | |
| <div>Received NOV 20 2023 FRP 303</div> | | Edward-Roark: SCHWAGERL, TRUSTEE Edward Roark Schwagerl Living Estate Trust. c/o 525 Main Street. Unit 120353. Saint Paul, Minnesota. [55112-9999] | |
| | | **** Official Business **** | |
| | |  | |

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|--|
| <ul style="list-style-type: none">■ Complete items 1, 2, and 3.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits. | <div>A. Signature X <div><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</div></div> <div>B. Received by (Printed Name) </div> <div>C. Date of Delivery </div> <div>D. Is delivery address different from address on mailpiece? </div> |

Cash Management Regt
Administ
Bureau of Governm
Department
Treasury And
Washingt

**NOT DOJ MAIL
RETURN TO SENDER**

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|  9590 9402 8092 2349 9512 22 | <div>1. Article Addressed to: </div> <div>2. Article Number (Transfer from service label) EI 231 410 598US</div> | <div>3. Service type <input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</div> <div><input checked="" type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation® <input type="checkbox"/> Signature Confirmation Restricted Delivery</div> |
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PS Form 3811, July 2020 PSN 7530-02-000-9053

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Exhibit A.2

DEPOSIT SLIP A slip upon which the details of a deposit are entered, which accompanies the deposit when handed to the teller. The deposit slip is an original entry record of the depositing medium through which the amount of the relative deposit is credited to the depositor's account in the bank's ledger. It should be checked by the depositor in each instance; if incorrect the depositor should be required to submit a correct one to take its place. It is irrevocable. If a deposit is made without the passbook, a duplicate deposit slip stamped may be made out at the same time for the convenience of the depositor.

A deposit slip "is an original entry in the eyes of the law and an important document. It is the bank's record of what the depositor has deposited. They often become exceedingly valuable for reference in case differences and misunderstandings occur in dealing with depositors" (W. H. Kniffin, *The Practical Banker*, 1909). Deposit slips should be retained by the bank at least until the account is reconciled. Some banks keep them longer and some destroy them.